UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:19-cv-00016-MR

RONALD McCLARY,)
Plaintiff) ,)
vs.	ORDER ORDER
MICHAEL BUTLER,)
Defenda	ant.

THIS MATTER is before the Court sua sponte on Plaintiff's filing of a "Motion for Leave Judicial Notice" [Doc. 45] and a Sealed Document [Doc. 46].

On July 10, 2020, the Plaintiff filed a document he captioned "Motion for Leave Judicial Notice" in which Plaintiff seeks "leave that the Court may note the following and respond to the Court striking Plaintiff['s] letter from the record pleading for counsel to be appointed for discovery only." [Doc. 45]. Plaintiff then again recounts why he believes counsel should be appointed for him. [Id.]. To the extent Plaintiff intends this "Motion for Leave Judicial"

through formal motion filed with the Court. [Doc. 44].

¹ It appears Plaintiff is referring to the Court's June 29, 2020 Order striking Plaintiff's letter [Doc. 42] from the record in this matter. In this letter, Plaintiff requested reconsideration of the Court's most recent denial of counsel for Plaintiff. The Court struck the letter because filing letters directed to judges of this Court is improper; Plaintiff must seek relief

Notice" to seek reconsideration of the Court's denial of counsel, it is denied for reasons already provided by the Court. [Docs. 10, 20, 44]. Also, with the instant filing, Plaintiff included a letter to him from his attorney appointed for the limited purposes of conducting discovery in this matter. [Doc. 46]. Plaintiff, however, did not file a proper motion to seal this document. LCvR 6.1. Further, even if Plaintiff had properly moved to file this document under seal, the Court sees no reason for Plaintiff to file this document with the Court

<u>ORDER</u>

IT IS, THEREFORE, ORDERED that the Sealed Document [Doc. 46] is STRICKEN from the record in this matter.

IT IS FURTHER ORDERED that any relief sought by Plaintiff in the "Motion for Leave Judicial Notice" [Doc. 45] is **DENIED**.

IT IS SO ORDERED.

in any event.

Signed: July 27, 2020

Martin Reidinger

Chief United States District Judge